

## REMARKS

In response to the Office Action dated February 6, 2008, Applicants respectfully request reconsideration based on the above claim amendments and on the following remarks. Applicants respectfully submit that the pending claims distinguish over the cited documents.

Claims 1-6 and 18-20 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Claims 1, 6 and 18 have been amended to address the items raised by the Examiner.

Claims 1, 3-5, 18 and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over Levin in view of Feigen, Gold, Jerking and Coss. This rejection is traversed for the following reasons.

Claim 1 recites, *inter alia*, “the first port sending resource information associated with the set top box, the resource information describing at least two disk drives and a capacity of each disk drive; . . . the processor receiving an instruction when there is a difference between the capacity of the disk drives and authorized storage for the set top box defined in a database, the difference indicating unauthorized modifications to the set top box, the instruction causing the processor to disable operation of the set top box.”

Levin teaches a system for remotely increasing capacity of a recording device 101. Storage capacity of the recording device can be increased through a modem 115. There is no teaching of disabling the recording device “when there is a difference between the capacity of the disk drives and authorized storage for the set top box.”

Feigen was relied upon for teaching remotely detecting system integrity using hash values. Feigen does not compare individual components, such as storage capacity. Feigen only teaches generating a hash value based on system elements and comparing the hash value to a stored hash value. Feigen can detect when some component has been altered, but cannot compare storage capacity in particular. Further, Feigen does not teach disabling the remote unit but rather determining if further inquiry is needed.

Gold was relied upon for detecting modifications to data capacity exceeding licensed capacity. Gold, however, is not related to remotely detecting capacity of any device. Gold performs the detection in a single computer upon boot of the computer. There is no teaching in Gold of remotely accessing a device and detecting unauthorized storage capacity.

Jerding was apparently relied upon for the teaching of providing remote DHCT parameters for the DHCT to operate on a network. Jerding does not teach remotely disabling a STB when there is a difference between the capacity of the disk drives and authorized storage for the set top box.

Coss was relied upon for disclosing aspects of a firewall but also fails to teach remotely disabling a STB when there is a difference between the capacity of the disk drives and authorized storage for the set top box as recited in claim 1.

There is no combination of Levin, Feigen, Gold, Jerding and Coss that results in the elements of claim 1, and in particular "the processor receiving an instruction when there is a difference between the capacity of the disk drives and authorized storage for the set top box defined in a database, the difference indicating unauthorized modifications to the set top box, the instruction causing the processor to disable operation of the set top box." Levin, Feigen and Jerding all teach some interaction with a remote device, but not disabling a device remotely. The only reference to discuss disabling a device is Gold, but Gold performs the detection of unlicensed memory locally upon boot of a system. The logical combination of Levin, Feigen, Jerding and Gold is to perform the remote activities taught by Levin, Feigen and Jerding while still locally disabling the device as taught by Gold. There is no teaching or suggestion that a device can be remotely disabled as recited in claim 1.

Thus, even if Levin, Feigen, Gold, Jerding and Coss are combined, the elements of claim 1 do not result.

For at least the above reasons, claim 1 is patentable over Levin, Feigen, Gold, Jerding and Coss. Claims 3-5 depend on claim 1 and are patentable over Levin, Feigen, Gold, Jerding and Coss for at least the same reasons. Claim 18 recites features similar to those discussed above with reference to claim 1 and is patentable over Levin, Feigen, Gold, Jerding and Coss for at least the same reasons. Claim 20 depends on claim 18 and is patentable over Levin, Feigen, Gold, Jerding and Coss for at least the same reasons.

Claims 2 and 19 were rejected under 35 U.S.C. § 103 (a) as being obvious over Levin, Feigen, Gold, Jerding, Coss and Bruynsteen. This rejection is traversed for the following reasons.

Bruynsteen was relied upon for allegedly disclosing an operating instruction causing a processor to limit capacity of a disk drive. Bruynsteen, however, fails to cure the deficiencies

of Levin, Feigen, Gold, Jerding and Coss discussed above with reference to claims 1 and 18. Claim 2 depends from claim 1 and claim 19 depends from claim 18. Thus, even if Levin, Feigen, Gold, Jerding, Coss and Bruynsteen are combined, the elements of claims 2 and 19 are not taught.

Claim 6 was rejected under 35 U.S.C. § 103 (a) as being obvious over Levin, Feigen, Gold, Jerding, Coss and Nissimov. This rejection is traversed for the following reasons.

Nissimov was relied upon for allegedly disclosing a remote resource manager. Nissimov, however, fails to cure the deficiencies of Levin, Feigen, Gold, Jerding and Coss discussed above with reference to claim 1. Claim 6 depends from claim 1. Thus, even if Levin, Feigen, Gold, Jerding, Coss and Nissimov are combined, the elements of claim 6 are not taught.

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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